ECOLOGY LAW QUARTERLY

Volume XIX

INDEX

School of Law, Boalt Hall
University of California
Berkeley, California

Copyright © 1992 by ECOLOGY LAW QUARTERLY

AUTHOR INDEX

ALCOCK, TAMMY M.— "Ecology Tankers" and the Oil Pollution Act of 1990: A History of Efforts to Require Double Hulls on Oil Tankers 97

BLUMM, MICHAEL C.—Unconventional Waters: The Quiet Revolution in Federal and Tribal Minimum Streamflows 445

COLE, LUKE W.—Empowerment as the Key to Environmental Protection: The Need for Environmental Poverty Law 619

CONTRERAS, JORGE—In the Village Square: Risk Misperception and Decisionmaking in the Regulation of Low-Level Radioactive Waste 481

CUMMINGS, ANN D.—The *Exxon Valdez* Oil Spill and the Confidentiality of Natural Resource Damage Assessment Data 363

GRAHAM, JOHN D., GRAY, GEORGE M. AND ROSENTHAL, ALON— Legislating Acceptable Cancer Risk from Exposure to Toxic Chemicals 269

GRAY, GEORGE M., GRAHAM, JOHN D. AND ROSENTHAL, ALON— Legislating Acceptable Cancer Risk from Exposure to Toxic Chemicals 269

HALPER, LOUSIE A.—'A Rich Man's Paradise': Constitutional Preservation of New York State's Adirondack Forest, a Centenary Consideration 193

LEVIN, JULIA—Russian Forest Laws — Scant Protection During Troubled Times .. 685

MUDGE, ANNE E.—Impact Fees for Conversion of Agricultural Land: A Resource Based Development Policy for California's Cities and Counties 63

OSUMUNDSEN, LORI—Paradise Preserved? The Contribution of the SPREP Convention to the Environmental Welfare of the South Pacific 727

RAUCHER, STEPHEN—Raising the Stakes for Environmental Polluters: The *Exxon Valdez* Criminal Prosecution 147

ROSENTHAL, ALON, GRAY, GEORGE M. AND GRAHAM, JOHN D.—Legislating Acceptable Cancer Risk from Exposure to Toxic Chemicals 269

SHAPIRO, SIDNEY A.—Lessons from a Public Policy Failure: EPA and Noise Abatement 1

SHAY, MONIQUE C.—Promises of a Viable Homeland, Reality of Selective Reclamation: A Study of the Relationship Between the *Winters* Doctrine and Federal Water Development in the Western United States 547

WARD, ROBERT—The Spirits Will Leave: Preventing the Desecration and Destruction of Native American Sacred Sites on Federal Land 795

TITLE INDEX

"ECOLOGY TANKERS" AND THE OIL POLLUTION ACT OF 1990: A HISTORY OF EFFORTS TO REQUIRE DOUBLE HULLS ON OIL TANKERS—*Tammy M. Alcock* . 97

EMPOWERMENT AS THE KEY TO ENVIRONMENTAL PROTECTION: THE NEED FOR ENVIRONMENTAL POVERTY LAW—*Luke W. Cole* 619

THE *Exxon Valdez* OIL SPILL AND THE CONFIDENTIALITY OF NATURAL RESOURCE DAMAGE ASSESSMENT DATA—*Ann D. Cummings* 363

IMPACT FEES FOR CONVERSION OF AGRICULTURAL LAND: A RESOURCE BASED DEVELOPMENT POLICY FOR CALIFORNIA'S CITIES AND COUNTIES—*Anne E. Mudge* 63

IN THE VILLAGE SQUARE: RISK MISPERCEPTION AND DECISIONMAKING IN THE REGULATION OF LOW-LEVEL RADIOACTIVE WASTE—*Jorge Contreras* 481

LEGISLATING ACCEPTABLE CANCER RISK FROM EXPOSURE TO TOXIC CHEMICALS—*Alon Rosenthal, George M. Gray, and John D. Graham* 269

LESSONS FROM A PUBLIC POLICY FAILURE: EPA AND NOISE ABATEMENT—*Sidney A. Shapiro* 1

PARADISE PRESERVED? THE CONTRIBUTION OF THE SPREP CONVENTION TO THE ENVIRONMENTAL WELFARE OF THE SOUTH PACIFIC—*Lori Osumundsen* 727
PROMISES OF A VIABLE HOMELAND, REALITY OF SELECTIVE RECLAMATION: A STUDY OF THE RELATIONSHIP BETWEEN THE *Winters* DOCTRINE AND FEDERAL WATER DEVELOPMENT IN THE WESTERN UNITED STATES—*Monique C. Shay* . 547
RAISING THE STAKES FOR ENVIRONMENTAL POLLUTERS: THE *Exxon Valdez* CRIMINAL PROSECUTION—*Stephen Raucher* 147
'A RICH MAN'S PARADISE': CONSTITUTIONAL PRESERVATION OF NEW YORK STATE'S ADIRONDACK FOREST, A CENTENARY CONSIDERATION—*Louise A. Halper* 193
RUSSIAN FOREST LAWS—SCANT PROTECTION DURING TROUBLED TIMES—*Julia Levin* 685
THE SPIRITS WILL LEAVE: PREVENTING THE DESECRATION AND DESTRUCTION OF NATIVE AMERICAN SACRED SITES ON FEDERAL LAND—*Robert Ward* 795
UNCONVENTIONAL WATERS: THE QUIET REVOLUTION IN FEDERAL AND TRIBAL MINIMUM STREAMFLOWS—*Michael C. Blumm* 445

BOOK REVIEWS

BULLARD, ROBERT—Dumping in Dixie: Race, Class and Environmental Quality (*Daniel Suman*) 591
COMMONER, BARRY—Making Peace with the Planet (*Kurt A. Strasser*) 413

BOOKS RECEIVED

ADAMS, PATRICIA—Odious Debts (*Thomas Dixon*) 431
BROOKFIELD, HAROLD AND DOUBE, LOENE, EDS.—Global Change: The Human Dimensions (*Robert Gunning*) 437
BUCK, SUSAN J. —Understanding Environmental Administration and Law (*James D. Vaughn*) 442
COMMITTEE ON WESTERN WATER MANAGEMENT, THE WATER SCIENCE AND TECHNOLOGY BOARD, AND THE COMMISSION ON ENGINEERING AND TECHNICAL SYSTEMS— Water Transfers in the West (*Al Lin*) 849
CONSERVATION FOUNDATION—Environmental Policy in a Federal System; The United States and the European Community (*Doug McWilliams*) 614
ERIKSEN, VIKING OLVER—Sunken Nuclear Submarines (*Kelly McCown*) 440
FOX, WARWICK—Toward a Transpersonal Ecology (*Scott Sherman*) 188
MANDER, JERRY—In the Absence of the Sacred: The Failure of Technology and the Survival of the Indian Nations (*Cristopher Manes*) 187
STOLOFF, NEIL—Regulating the Environment: An Overview of Federal Environmental Law (*Erik Adams*) 611
SUTER, KEITH--Antarctica: Private Property or Public Heritage? (*Kara Diane Spotts*) 434
WEERAMANTRY, CHRISTOPHER— Nauru: Environmental Damage Under International Trusteeship (*Rajesh Aji*) 847

TABLE OF SUBJECTS

A

ADMINISTRATIVE AGENCIES

See Also *Damages*
EPA
Cancer Risk Assesment 295-322
Quantitative Risk Assessment .. 277-95, 348-53
Risk-Benefit Balancing 304-09
Use of Risk Assessment 309-22
FDA
Cancer Risk and the Delaney Clause 297

ADMINISTRATIVE LAW

See also *Administrative Agencies, Noise Abatement, Risk Assessment, Environmental Equity and Justice*
Exclusion of Poor People 650-52

AGRICULTURE

See also *Constitutional Law*
Farmland Mitigation Fees 64-96
Authority
Police Power 74-76, 83-85
Subdivision Map Act 76-79
Constitutional Aspects 79-96
Precedents for Preservation
Wetlands Preservation 68-69
Wildlife Habitat Preservation . 69-70
Air Quality 70-71
Coastal Access 71
Linkage Fees 71-72
Theory 66-68

AIR POLLUTION

Cancer Risk 300-04
Clean Air Act 300-04
Clean Air Amendments of 1990 ... 275, 323-27
Linked to Poverty 623-25

B

C

CONSERVATION

See also *Forest Preservation*
History of Enviromental Movements in U.S. 634-41
South Pacific 773-74

CONSTITUTIONAL LAW

See also *Agriculture, Forest Preservation, Native Americans*
Agricultural Impact Fees 94-96
Equal Protection and Enviromental Harm 632-33
Establishment Clause
Native American Land Claims .. 813-15
Free Exercise Clause of 1st Amendment
Native American Land Claims .. 808-13
Takings
Cultural Impact Fees and Takings Law 79-94
Economically Viable Uses 92-92
Legitimate Government Interest 83-85
Nexus Requirement 85-92
Possessory versus Regulatory Takings 80-83
Forest Preservation 262-64

D

DAMAGES

Natural Resources Damage Assessments 364-411
Confidentiality
Confidentiality Agreements . 373, 403
Discovery Rules 373-76, 403
Effects on Response Efforts ... 382-85
Effects on Settlement Process . 392-98
Expert Testimony Under the Federal Rules of Evidence .. 407-09
Freedom of Information 376-78, 400-02
Reform 409-11
State and Federal Cooperation 380-82
Yearly Restoration Plans 388-90
Contrasted with Normal Research 390-92
Regulations
Department of Interior 370-71
Enviromental Protection Agency 371-73
Criminal Sanctions 177-82

E

ECONOMICS

See also *Pollution Control*

ENVIRONMENTAL EQUITY AND JUSTICE
See also *Native Americans*
Disproportionate Siting of Environmental Hazards
Causes 594-99
Studies 593-94, 601-03
Environmental Activism in the Black Community 598-604
Environmental Poverty Law
Current Practice 661-82
History and Rationale 641-60
Grassroots Environmentalism
Community-Activism Approach 641-52, 661-68
Differences from Mainstream Environmentalism 639-41
Examples 673-82
Pollution Prevention versus Pollution Control 644-45
History 637-39
History of Poverty Law 654-59
Indian Traditionalism 824-34
Indian Water Rights 570-74, 579-83
Judicial Review 606
Low-Level Radioactive Waste Siting 537-38
Mainstream Environmentalists 597-99 635-36, 642-45
Legal-Scientific Approach 635-36, 642-44, 652-44, 661-63
Single Bad Actor Model 642-44
Poor Communities and Pollution .. 621-34
Solutions to Inequities 607-09
Toxic Hazards 632-34

F

FISH AND WILDLIFE
Drift Nets in the South Pacific 775-77

FOREST PRESERVATION
See also *International Law*
Adirondack Forest
Conservation and Preservation .. 210-28
Constitutional Protection 255-62
Creation of the Park 247-55
Creation of the Preserve 237-42
Exploitation of Timber Resources 199-210
History of Hough Report 213-15
Merchant Participation 215-21
Preservationist Participation 221-28
Sargent Commission 242-46
Takings Challenge 262-64
Ideologies
Conservationism 232-36
Feminism 230-32
Preservationism 228-30
Russian Forests
International Aid 722-24
Threats 690-93
Value 687-90

H

HAZARDOUS WASTE
CERCLA
Risk Assessment 317-20
International Shipments 766, 786-88

RCRA
Chemical Weapons Incineration 784-86
Risk Assessment 314-17
NIMBY 646-47

I

INDIGENOUS PEOPLES
See also *Native Americans and Environmental Justice and Equity*
Pacific Islanders 730-40, 788-91
Siberia and Russian Far East 689-90

INTERNATIONAL LAW
See also *Forest Preservation*
Russian Forest Law
Russian Federation
Draft Forest Law 711-14
Formation of Ecology Ministry 709-11
Nature Protection Law 711-12
Effect of the Privatization law ... 714-16
Free-Trade Zones 716-17
Recommendations for Reform .. 718-22
Regional Governments 700-09
Buriatia Republic 701-05
Irkutsk Oblast 705-07
Krasnoyarsk Region 707
Sakha Republic 704-05
Soviet Forest Ministry 698-700
Failure to Protect Forests 696-98
History 693-96
Reform by Supreme Soviet ... 688-70

INTERNATIONAL PROGRAMS
See Also *International Treaties*
International Finance and Russian Forests 722-24
South Pacific Commission 738-53
South Pacific Regional Enviromental Program
1990 Convention and Protocols Analysis 750-83, 791-93

Suggestions for Improvement 789-91
Alliance of Small Island States .. 790-91
History 729-30, 738-53
Rarotonga Declaration 743-53

INTERNATIONAL TREATIES

See also *International Programs*
Basel Convention 788
Comparisons of Environmental Treaties 777-80
Convention on International Trade in Endangered Species Regarding Russian Forests 724-25
Convention on Conservation of Migratory Species of Wild Animals Regarding Russian Forests 724
London Dumping Convention 745-46, 755, 789
South Pacific Nuclear Free Zone Treaty 751, 762, 770-73
SPREP Convention and Protocols 753-80

L

LAND USE

See also *Agriculture*

LOW-LEVEL RADIOACTIVE WASTE

See also Hazardous Wastes
Health Risks
Estimated 491-95
Risk Analysis 495-96
Risk Comparison 496-99
Risk Misperception 499-505, 525, 529-35, 539-41
Low-Level Radioactive Waste Disposal 533-44
Political Issues 533-35
Siting Difficulties 535-41
Compensation 536-41
Interests to be Balanced 541
Siting Proposal 541-545
Not In My Backyard (NIMBY) Syndrome 535-36, 646-47
Low-level Radioactive Waste Policy Act 505-33
Costs 527-30
Generally 505-09
History 509-19
Interstate Compacting 524-27
Inefficient Site Proliferation 521-24
State Shut-out 519-21

M

MARKET INCENTIVES

See also *Noise Abatement*

MARINE POLLUTION

See also *International Programs, Oil Spills*
Nuclear Tests in the South Pacific 735-36, 745-53, 758, 760-63

MARINE RESOURCES

See also *Fish and Wildlife*
South Pacific
Effect of Colonialism 731-35
Pacific Islanders' Management .. 730-31

MINERALS AND MINING

Native American Sacred Sites 805-06

N

NATIVE AMERICANS

See also *Water Resources*
American Indian Religious Freedom Act of 1978 816-17
Endangered Species Act 825-27
Environmentalism 825-31
National Environmental Policy Act 826
Sacred Sites
Desecration 803-07
Federal Land Management 803-07
First Amendment Claims 808-15
Proposals for Statutory Protection 834-46
Protection as Cultural Resource 817-21
Treaties 822-23
Trust Doctrine 821-22

NATURAL RESOURCES

See also *Damages*

NOISE ABATEMENT

Education and Research 18-19, 27-28
Federal Controls 44-60
Federal Preemption 38-39, 42-44
History of Noise Abatement 5-33
Regulation During and After ONAC 9-30
Regulation Prior to ONAC 6-9
Market Incentives 49-53
Noise Control Act (NCA) 2, 6-15, 17-20, 23, 32-33, 43-49, 54-55
Future of the NCA 44-53, 55-60
Office of Noise Abatement and Control, EPA 1-29

Coordination with Other Agencies 15-17
Elimination 19-22
Low Noise Emission Products .. 14
Noise Emission Standards 10-13
Product Labeling 13-14
Quiet Communities Act 2, 17
State and Local Noise Control 17-18, 28-30, 33-44

NOISE POLLUTION

Poor Communities 624-27

NUCLEAR ENERGY

See also *Marine Pollution*

O

OIL SPILLS

See also *Damages*
Criminal Fine Improvements Act .. 177-80
Federal Regulation
Coast Guard Action ... 106-07, 116-20, 125-26, 130-33, 142-42
NEPA Suits 120-21
Oil Pollution Act of 1990 ..... 136-43, 163-64
Port and Tanker Safety Act of 1978 135
Ports and Water Safety Act 106, 133-135, 173-177
International Maritime Consultative Organization (IMCO) 126-31, 134-35, 142-43
Tanker Accidents 99-100, 134
Exxon Valdez 98-100, 103-04, 136, 144, 147-185
Agency Theory of Liability ... 150-57
Dangerous Cargoes Act 173-77
Fines and Deterrence 177-82
History of Oil Spill Problem ... 102-04, 125-26
Violation of the Refuse Act .. 167-70, 180-81
Violation of the Migratory Bird Treaty Act 170-73, 180-81
Strict Liability 164-73
Tanker Designs 105-120, 125-133, 138-143
Double Hulled Tankers 107-116
Federal Preemption 133-34
Trans-Alaska Pipeline 121-25

P

PARKS

See also *Forest Preservation*

PESTICIDES

Federal Food, Drug and Cosmetics Act
Delaney Clause 296-300
Risk-Benefit Balancing 305-06
Proposed Amendments Regarding Risk 327-28
Federal Insecticide, Fungicide and Rodenticide Act
Risk-Benefit Balancing 304-06
Linked to Poor Communities 621-26

POLLUTION CONTROL

Limiting Production of Pollutants . 413-14
Present Regulatory Structure 413-19
Production Technology 419-30
Alternatives 419-23, 644-46
Economic Analysis 414-15
Selection 424-27

PUBLIC HEALTH AND SAFETY

See also *Environmental Equity and Justice, Noise Abatement*
Low-Income Groups 621-34

PUBLIC LANDS

See also *Native Americans, Water Resources*
Native American Sacred Sites 803-07, 834-38, 843-46

R

RISK ASSESSMENT

See also *Administrative Agencies, Hazardous Waste, Pesticides*
Administrative Consistency 356-59
Civic Education 353-56
Democratic Control 339-45
Economic Efficiency 346-48
Methodology
Dose-Response Evaluation 285-90
Exposure Assessment 290-93
Hazard Identification 278-85
Risk Characterization 293-95
Reglulatory Science 348-53
Statutory Approaches
Bright Line Statutes 322-38
Health-Based Statutes 300-04
Narrative Standard Statutes 313-20
Technology-Based Statutes 309-13
Zero Risk Standards 297-300, 302

S

SOLID WASTE

Linked to Poor Communities 621-25

T

TOXIC SUBSTANCES
See also *Environmental Equity and Justice, Hazardous Waste, International Treaties, Marine Pollution*
Linked to Poor Communities 621-31
South Pacific 766, 784-88
Toxic Substances Control Act
Risk Benifit Balancing 306-09, 345

U

UNITED NATIONS
Protection of Russian Forests 723
South Pacific Programs 740-44, 746, 777-78

W

WATER POLLUTION
See also *Damages, Oil Spills*
Clean Water Act
Proposed Amendments on Dioxin 328
Standard Setting for Carcinogens 312-13
Safe Drinking Water Act
Standard Setting for Carcinogens 275, 309-12
WATER RESOURCES
Federal Regulation 478-79
Clean Water Act 462-65
Endangered Species Act 465-66
Federal Power Act 467-68
Safe Drinking Water Act 478
Reserved Water Rights
Federal Reserved Water Rights . 449-60
Bureau of Land Management Lands 458-60
National Forests 452-54
National Parks and Monuments 456-57
National Wildlife Refuges and Wild and Scenic Rivers 457-58
Other Reserves 460
Wilderness Areas 454-56
Native American Reserved Rights
Allottee Rights 579-80
Failure of Federal Protection . 586-90
General Allotment Act 555-57
Irrigation Projects 557-62, 588
Negotiated Settlements 474-76, 588-89
Practicably Irrigable Acreage . 577-80
Quantifying the Reserved Waters 471-74
Treaties 562-65
Water Marketing 580-83
Winters Doctrine
Clarification in Arizona v. California 451, 576-79
Federal Joinder in State Adjudication 451-52, 583-86
Generally 450, 565-69, 588-90
Purposes 452-53, 468-70
Settlement of the West
Homestead Acts 549-50
Reclamation 550-52, 570-74
State Water law 446-47, 552-55
Tribal Regulatory Rights 476-79, 480

Z

ZONING
See also *Environmental Equity and Justice*
Low-Income Neighborhoods and Pollution 628-30
Noise 29

TABLE OF CASES

A

Adirondack Park Agency v. Ton-Da-Lay Assocs. 195
Agins v. Tiburon 79
Alamo Rent-a-Car, Inc. v. Board of Supervisors of Orange County ... 94-95
American Petroleum Inst. v. Costle 301, 352
AMP, Inc. v. Fleischhacker 406
Anchorage Sch. Dist. v. Anchorage Daily News 403
Arizona v. California (1963) 451, 457, 460, 472, 548, 568, 575-78, 586
Arizona v. California (1979) 470, 472, 580
Arizona v. California (1983) 472
Arizona v. San Carlos Apache Tribe 451, 468, 586
Arkansas v. Oklahoma 464
Askew v. American Waterways Operators, Inc. 133
Ass'n v. Burns 7
Associated Homebuilders v. City of Walnut Creek 74-75, 84, 87, 91, 97
Association of Am. R.R. v. Costle . 12
Avondale Irrigation Dist. v. North Idaho Properties, Inc. 453

B

Badoni v. Higginson 803, 806, 808, 813
Baltimore & O.R.R. v. Oberly 39
Bank of Am. Nat'l Trust & Savings Ass'n v. Hotel Rittenhouse Assocs. 373
Barancik v. County of Marin 84
Bean v. Southwestern Waste Mgmt. Corp. 607, 632
Beaumont Investors v. Beaumont Cherry Valley Water Dist. 95
Berman v. Parker 74
Bixel Assocs. v. City of Los Angeles 74, 75
Blue Jeans Equities West v. City and County of San Francisco ... 82
Blue Legs v. EPA 630
Boise Dodge, Inc. v. United States . 153
Bordeaux Action Comm. v. Metropolitan Nashville 632
Bownds v. City of Glendale 78
Brendale v. Yakima Indian Nation 476
Browning-Ferris Industries v. Kelco Disposal 179
Butler v. Boston & Savannah Steamship Co. 175

C

California Bldg. Indus. Ass'n v. Governing Bd. of Newhall Sch. Dist. 74, 95
California Oregon Power Co. v. Beaver Portland Cement Co. ... 451, 553
California v. Cabazon Band of Mission Indians 476
California v. FERC 467
California v. United States .. 551, 553, 554
Campbell v. United States Dep't of Health and Human Servs. 378
Cappaert v. United States 574
Cappaert v. United States (1976) . 456-57, 469
Cappaert v. United States (1978) .. 451, 453, 462, 469
Cherokee Nation v. Georgia 822
Chevron v. Natural Resources Defense Council 54
Ciba-Geigy Corp. v. EPA 305
CIT Corp. v. United States 152
City of Buena Park v. Boyar 77
City of Kenai v. Kenai Peninsula Newspapers, Inc. 378, 402
City of New York v. Dept. of Transp. 506
City of San Francisco v. Farrell ... 94
Colorado River Water Conservation Dist. v. United States 452, 585, 589
Colville Confederated Tribes v. Walton 575, 577, 580
Colville Confederated Tribes v. Walton (1981) 470, 477
Colville Confederated Tribes v. Walton (1985) 473
Command Transp., Inc. v. Y.S. Line (USA) Corp. 374
Commercial Builders v. City of Sacramento 71, 76, 80-83, 94
Confederated Tribes of the Umatilla v. Callaway 473

Confederated Tribes of the Umatilla v. Alexander 474
Confederated Tribes v. F.E.R.C. . 468, 480
Conrad Investment Co. v. United States 568
Corrosion Proof Fittings v. EPA .. 307
County of El Paso v. Texas Low-Level Radioactive Waste Disposal Authority 529
Crow v. Gullet (8th Cir. 1983) .. 802, 807

D

Deitchman v. E.R. Squibb & Sons 408
Dred Scott v. Sandford 648
Duro v. Reina 476

E

East Bibb Twiggs Neighborhood Ass'n v. Macon-Bibb County Planning & Zoning Comm'n .. 607, 632
Ecolab, Inc. v. K.P. Laundry Machinery, Inc. 406
El Pueblo para el Aire y Agua Limpia v. County of Kings ... 605, 678
El Pueblo para el Aire y Agua Limpio v. Chemical Waste Mgmt. 632
Eldridge v. City of Palo Alto 84
Environmental Defense Fund v. EPA 636
Environmental Defense Fund v. Hardin 636
Environmental Defense Fund v. Peterson 121, 125
Environmental Defense Fund v. Ruckelshaus 305
Environmental Defense Fund v. Dep't of Health Educ. & Welfare 636
Escondido Mutual Water Co. v. La Jolla Band of Mission Indians ... 467
Exxon Corp. v. Hunt 615

F

Federal Power Comm'n v. Tuscarora Indian Nation 808
Federal Trade Comm'n v. Grolier, Inc. 377
First English Evangelical Lutheran Church v. County of Los Angeles 92
First Iowa Hydroelectric Coop. v. FPC 467
Fisher v. United States 374
Florida Rock Indus. v. United States 93
FPC v. Oregon 451

G

Garcia v. San Antonio Metro. Transit Auth. 509
Gila River Pima-Maricopa Indian Community v. United States 474
Giles v. Harris 648
Greenpeace v. Stone 785
Guinnane v. City and County of San Francisco 93
Gulf South Insulation v. U.S. Consumer Prod. Safety Comm'n 274

H

Harmelin v. Michigan 179-80
Hickman v. Taylor 374
Hittman Nuclear & Dev. Corp. v. Chem-Nuclear Sys., Inc. 520
Holmdel Builders Ass'n v. Township of Holmdel 71
Holmes v. United States 580
Hyrup v. Kleppe 459

I

Illinois v. City of Milwaukee 168
In re Alexander Grant & Co. Litigation 375
In re Big Horn River Sys. (1988) .. 452, 459, 469, 470, 471, 472, 580, 585, 585
In re Big Horn Sys. (1992) . 469, 472, 477
In re Murphy 375
In re Water of Hallett Creek Stream Sys. 447, 454
Industrial Union Dep't, AFL-CIO v. American Petroleum Inst. .. 272, 274
Inupiat Community of Arctic Slope v. United States 822
Irwin v. Phillips 554

J

J.W. Jones Cos. v. City of San Diego 74-75, 90
Joint Bd. of Control v. United States 469, 473

K

Kerr-McGee Corp. v. Navajo Tribe 478
Keystone Bituminous Coal Ass'n v. DeBenedictus 79, 92
Kittitas Reclamation Dist. v. Sunnyside Valley Irrigation Dist. 473
Kootenai Environmental Alliance v. Panhandle Yacht Club 447

L

Lake Nacimiento Ranch Co. v. County of San Luis Obispo 84
Larkin v. Grendel's Den, Inc. 814, 840
Lead Industries Ass'n v. Occupational Safety & Health Admin. 377
Lemon v. Kurtzman 813
Leroy Land Development v. Tahoe Regional Planning Agency 82
Liberty v. California Coastal Commission 91
Liew v. Breen 375
Loretto v. Teleprompter Manhattan CATV Corp 68, 80
Loveladies Harbor Inc. v. United States 93
Lyng v. Northwest Indian Cemetery Protective Ass'n 802, 803, 809, 811, 812, 815, 816, 820, 828, 836-37

M

Mamyerat v. Town Board of Ashford 538
Martin v. Kansas Bd. of Regents .. 506
Matter of Oswego Barge Corp. 168
Matthews v. Coye 24, 66
McClellan v. Jantzen 454
McMillan v. American Finance Corp. 78
Mead Data Cent., Inc. v. United States Dep't of the Air Force ... 377
Michigan Coalition of Radioactive Materials Users v. Griepentrog .. 520
Michigan v. United States 508
Middlesex County Sewerage Authority v. National Sea Clammers Ass'n 168
Miller v. Board of Pub. Works 74
Mississippi Comm'n on Natural Resources v. Costle 464
Montana v. Confederated Salish & Kootenai Tribes of the Flathead Reservation 470
Montana v. United States 476
Morgan v. King 203
Morissette v. United States .. 152, 165-66, 170, 172, 180
Muckleshoot Indian Tribe v. Hall . 473
Municipality of Anchorage v. Anchorage Daily News 403
Munson v. Hungerford 203

N

NAACP v. Gorsuch 600
Nance v. EPA 478
National Ass'n of Gov't Employees v. Rumsfeld 711
National Audubon Soc'y v. Superior Court 447, 590
National Labor Relations Bd. v. Robbins Tire & Rubber Co. 377, 400, 404
National Labor Relations Bd. v. Sears, Roebuck & Co. 404
National Resources Defense Council v. EPA 302-03, 310, 329, 345
National Wildlife Fed'n v. Gorsuch 159, 465
National Wildlife Fed'n. v. Consumers Power Co. 465
Native Village of Chenega Bay v. Lujan 394
Nevada ex rel. Shamberger v. United States 460
Nevada v. United States 471
New Jersey Chapter of the Nat'l Ass'n of Indus. and Office Parks v. New Jersey Dept. of Envtl.Protection 69, 90
New Mexico ex rel. Reynolds v. Aamodt 474
New York Cent. & Hudson R.R. v. United States 152
New York City Coalition to End Lead Poisoning v. Koch 670-71
New York v. Gorsuch 304
New York v. United States 483, 484, 508-10, 512
Nollan v. Cal. Coastal Comm'n ... 75, 79-80, 82-83, 85-90
Norsco Enter. v. City of Fremont . 91
Northern States Power Co. v. Minnesota 510
Northwest Indian Cemetery Protective Ass'n. v. Peterson 809, 820
NRDC v. Coleman 131
Nuclear Tests Case 761

O

O'Loane v. O'Rourke 78
Oberlin v. Marlin Am. Corp. ... 154, 156
Ohio v. United States Dep't of the Interior 115, 371, 391, 399
Oliphant v. Suquamish 479
Opinion of the Justices to the Senate (1986) 525
Orloff v. Allman 151

P

Pacific Can Co. v. Hewes 152, 155-57
Pacific Gas & Elec. Co. v. State Energy Resources 510
Palila v. Hawaii Dept. of Land and Natural Resources 466
Park Center Water Dist. v. United States 459
People ex rel. Hamilton Park Co. v. Wemple, ... 254
People v. Adirondack Ry. 262-64
People v. Turner 207, 254
Philadelphia v. New Jersey 615
Phoenix Can. Oil Co. v. Texaco, Inc. 151, 155, 157
Public Citizen, Inc. v. NRC 532, 537
Public Citizen v. Young 298
Pyramid Lake Paiute Tribe v. Morton 822

Q

Quarles v. Fuqua Indus. 154

R

Ray v. Atlantic Richfield 133, 134
Remmenga v. California Coastal Comm'n 68, 71, 74, 91
R.I.S.E. Inc. v. Kay ... 606, 607, 632, 646
Riverside Irrigation Dist. v. Andrews 463, 466
Rogers v. Proctor & Gamble Co. .. 376
Rohn v. City of Visalia 89
Russ Bldg. Partnership v. City and County of San Francisco . 74, 76-77, 95
Russell v. United States Dep't of the Air Force 377
Ryan v. United States Dep't of Justice 377

S

Scott v. City of Hammond, Indiana 465
Sequoyah v. TVA 806, 808, 809, 827-28
Sierra Club v. Block 455
Sierra Club v. Gorsuch 304
Sierra Club v. Watt 459, 460
Sierra Club v. Yeutter 455, 462
Skeem v. United States 567, 568, 581
Soderling v. City of Santa Monica . 78
Solem v. Helm 179, 180
Soucie v. David 401
State v. Morros 447, 454
Sterling Drug, Inc. v. Harris 377, 406, 408
Surfside Colony Ltd. v. California Coastal Comm'n 86
Susenkewa v. Kleppe 830

T

Tennessee v. Herrington 514
Terminals Equip. Co. v. City and County of San Francisco 92
Topanga Ass'n for a Scenic Community v. County of Los Angeles 77, 90
Trent Meredith, Inc. v. City of Oxnard 75, 95
TVA v. Hill 809
Twain Harte Assocs. v. County of Tuolumne 84

U

United States Dep't of Justice v. Reporters Comm. for Freedom of the Press 400
United States Dep't of Justice v. Julian 400
United States Envtl. Protection Agency v. Mink 377
United States v. Adair 450, 452, 470, 471, 472, 473
United States v. Akers 463
United States v. Alaska 457
United States v. Alpine Land & Reservoir Co. 454
United States v. American Cyanamid Co 169
United States v. American Tel. & Tel. Co. 409
United States v. Anderson 469, 472-73, 477
United States v. Ashland Oil, Inc. . 162, 168-69, 179
United States v. Athanum Irrigation Dist. 568
United States v. Ballard Shipping Co. 162, 179
United States v. Bell 455, 460
United States v. Bi-Co Pavers Inc. . 152
United States v. Brandt 171
United States v. Busher 179
United States v. Carter 153
United States v. Catlett 171
United States v. Corbin Farm Serv. 171
United States v. Davis 375
United States v. Denver 451, 453, 457, 459
United States v. Dion 827
United States v. District Court in and for Water Div. No. 5 .... 451, 460
United States v. District Court in and for County of Eagle . 451, 452, 584

United States v. Dixie Carriers, Inc. 168
United States v. Dotterweich 166
United States v. Earth Sciences, Inc. 160
United States v. Engler 172
United States v. Exxon Corp. 149-85
United States v. FMC Corp. 171
United States v. Glenn-Colusa Irrigation Dist. 465, 466
United States v. Green 171
United States v. Hamel 159, 162, 168
United States v. Hibner 580
United States v. Hilton Hotel Corp. 152, 580
United States v. Hooker Chems. & Plastics Corp. 376
United States v. Illinois Cent. R.R. 152-53
United States v. Jesse 453
United States v. Johns-Manville Corp 154
United States v. Mackin Const. Co. 169
United States v. New Mexico 452, 461, 575
United States v. Nobles 375
United States v. Park 166
United States v. Pennsylvania Indus. Chem. Corp. 168
United States v. Pepper's Steel Alloys, Inc. 397
United States v. Powers 568, 579
United States v. Rollins 173
United States v. Standard Oil Co. . 169
United States v. State Water Resources Control Bd. 447
United States v. Tom-Kat Dev. ... 160
United States v. United States Steel Corp. 168
United States v. Walker Irrigation Dist. 568
United States v. Washington (1974) 473
United States v. Washington (1985) 474
United States v. White Fuel Corp. . 169-70
United States v. Winans 450, 470, 568, 823
United States v. Wulff 172, 174, 180
Upjohn Co. v. United States 374, 375

V

Vill. of Arlington Hts. v. Metro Housing Dev. Corp. 606

W

Wambat Realty Corp. v. New York 195
Washington Dep't. of Ecology v. EPA 478
Washington State Bldg. & Const. Trades Council, AFL-CIO v. Spellman 512
Washington v. Acquavella 473
Washington v. Davis 606
Washington v. Washington State Commercial Passenger Fishing Vessel Ass'n. 478, 581
Wells Fargo & Co. v. Wells Fargo Express Co. 154
Whaler's Village Club v. California Coastal Comm'n. 88
William C. Haas v. City and County of San Francisco 93
Wilson v. Block 801, 808, 816, 820
Winters v. United States 450, 470, 548, 561, 565, 567-69, 574-77, 580-81, 586-89
Worcester v. Georgia 568
Wright v. Jeep Corp. 408
Wu v. National Endowment for Humanities 411
Wyoming v. United States 452, 584

Z

Zilber v. Town of Moraga 84

TABLE OF STATUTES

ALASKA

Alaska Stat.
§§ 24.20.600-.610(b)(3) 410, 411
§§ 46.13.010 -.900 410
Public Records Statute
§ 09.25.110 ..... 365, 373, 378, 402
§ 09.25.120(6) 403
§ 09.25.122 402

ARIZONA

Arizona Solid Waste Recycling Act
Ariz. Rev. Stat. Ann. §§ 49-831 . 415

CALIFORNIA

Cal. Civ. Code §§ 815-816 67
Cal. Const.
Art. I, § 19 79
Art. XI, § 7 74
Art. XIIIA 79
Cal. Gov't Code
§ 6950 67
§ 50076 95
§§ 65300-65404 78
§ 65561(a) 83, 84
§§ 66000-07, 66477, 677786484, 66483 ..... 74, 94
Cal. Health & Safety Code
§ 25249.8 332
§ 25249.10 331
§ 40716(a)(1) 70
Cal. Pub. Res. Code
§ 21177 675
§ 31156 87
Cal. Pub. Util. Code
§ 201 425
Cal. Rev. & Tax. Code
§§ 421-423.3 65
California Environmental Quality Act
Cal. Pub. Res. Code §§ 21000-21177 76
California Land Conservation Act (Williamson Act)
Cal. Gov't Code §§ 51200-51295 65
Mello-Roos Community Facilities Act of 1982
Cal. Gov't Code §§ 53311-53365.7 73
Open Space Easement Act of 1974
Cal. Gov't Code §§ 51070-51097 67
Safe Drinking Water and Toxic Enforcement Act
Cal. Health & Safety Code §§ 25249.5-.6 331
Subdivision Map Act
Cal. Gov't Code §§ 66410-99.37 . 74, 76-78, 87, 95

DELAWARE

Waste Minimization/Pollution Prevention Act
Del. Code Ann. tit. 7, §§ 7801-7805 415

FLORIDA

Pollution Prevention Act
Fla. Stat. Ann. §§ 403.072-.074 .. 415

ILLINOIS

Toxic Pollution Prevention Act
Ill. Rev. Stat. ch. 111-1/2, paras. 7951-57 415

INTERNATIONAL TREATIES AND CONVENTIONS

Apia Convention of the Conservation of Nature in the South Pacific 773-74, 777
Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region 765
Convention for the Protection of the Marine Environment and Coastal Area of the South-East Pacific, art. 2 (Lima Convention) 754, 765, 778
Convention for the Protection and Development of the Marine Environment of the Wider Carribean Region (Carteqena Convention) 765-778
Convention for the Protection of the Mediterranean Sea Against Pollution (Barrelona Convention) 755, 778
Convention for the Prohibition of Fishing with Long Driftnets in the South Pacific 775-77
Convention for the Protection of the Marine Environment of the Baltic Sea Area 777
Convention for the Protection of the Natural Resources and Environnment of the South Pacific Region

Convention 729-30, 740-86, 789, 791-93
Dumping Protocol 747, 753, 756, 759-60, 766, 768-70
Pollution Emergencies Protocol . 753 766-69
Convention on the Ban of the Import Into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes Within Africa (Bamako Convention)..... 788
Convention on Biological Diversity..... 719-21, 723-24
Convention on the Control of Transboundary Movements of Waste and their Disposal (Basel Convention)..... 788
Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter (London Dumping Convention)..... 745-46, 755
Regional Convention for the Conservation of the Red Sea and Gulf of Aden Environment, art. XI, (1982) (Jeddah Convention) . 765
South Pacific Nuclear Free Zone Treaty..... 748, 751-53, 770-74, 777, 785
U.N. Convention on the Law of the Sea..... 765

MASSACHUSETTS

Mass. Gen. Laws ch. 111H, § 33(a)(3)-(4) 538
Nuclear Power and Waste Disposal Voter Approval and Legislative Certification Act
Mass. Gen. Laws ch. 164, App. § 3-4(a-b)..... 525

MICHIGAN

Waste Minimization Act
Mich. Comp. Laws Ann. §§ 299.731-.740 415

MINNESOTA

Minnesota Toxic Pollution Prevention Act
Minn. Stat. Ann. §§ 115D.01-.12 415

MONTANA

Mont. Code Ann. §§ 85-2-701..... 475

NEW JERSEY

Act of Jan. 9, 1984
N.J. Stat. Ann. § 58:12A-13 275
Safe Drinking Water Act
N.J. Stat. Ann. § 58.12A-1 331
Safe Drinking Water Act Amendments of 1984
ch. 443, 1984 N.J. Laws 1801... 331

NEW YORK

1876 N.Y. Laws ch. 632 224
Act of Apr. 4, 1806
ch. 139, 1806 N.Y. Laws 444 ... 203
Act of Apr. 5, 1810
ch. 180, 1810 N.Y. Laws 186 ... 203
Act of Apr. 15, 1816
ch. 155, 1816 N.Y. Laws 168 ... 203
Act of Feb. 5, 1819
ch. 15, 1819 N.Y. Laws 10 203
Act of Mar. 16, 1821
ch. 107, 1821 N.Y. Laws 97 203
Act of Apr. 12, 1824
ch.257, 1824 N.Y. Laws 316.... 203
Act of Mar. 30, 1832
ch. 69, 1832 N.Y. Laws 123 204
Act of Apr. 28, 1834
ch. 195, 1834 N.Y. Laws 271 ... 204
Act of May 14, 1840
ch. 346, 1840 N.Y. Laws 292 ... 204
Act of May 14, 1845
ch. 324, 1845 N.Y. Laws 351 ... 204
Act of May 13, 1846
ch. 273, 1846 N.Y. Laws 368 ... 203
Act of Apr. 10, 1848
ch. 207, 1848 N.Y. Laws 321 ... 204
Act of Apr. 9, 1850
ch. 249, 1850 N.Y. Laws 484 ... 204
Act of Apr. 17, 1851
ch. 207, 1851 N.Y. Laws 421 ... 203
Act of June 30, 1851
ch. 327, 1851 N.Y. Laws 628
Act of Mar. 11, 1852
ch. 58, 1852 N.Y. Laws 56 204
Act of July 21, 1853
ch. 643, 1853 N.Y. Laws 1225 .. 203
Act of Apr. 12, 1854
ch. 200, 1854 N.Y. Laws 466 ... 203
Act of Apr. 13, 1854
ch. 222, 1854 N.Y. Laws 499 ... 203
Act of Apr. 17, 1854
ch. 395, 1854 N.Y. Laws 998 ... 204
Act of Apr. 13, 1855
ch. 427, 1855 N.Y. Laws 780 ... 207
Act of Mar. 13, 1857
ch. 98, 1857 N.Y. Laws 205 204
Act of Apr. 14, 1860
ch. 394, 1860 N.Y. Laws 672 ... 204
Act of Apr. 14, 1862
ch. 225, 1862 N.Y. Laws 411 ... 204
Act of May 9, 1867
ch. 836, 1867 N.Y. Laws 2096 .. 203
Act of Apr. 28, 1871
ch. 831, 1871 N.Y. Laws

1912-13 224
Act of May 23, 1872
ch. 848, 1872 N.Y. Laws 848 ... 213
Act of Feb. 6, 1883
ch. 13, 1883 N.Y. Laws 10 238
Act of May 25, 1883
ch. 470, 1883 N.Y. Laws 645 ... 238
Act of June 2, 1883
ch. 499, 1883 N.Y. Laws 693 ... 239
Act of June 14, 1884
ch. 541, 1884 N.Y. Laws 678 ... 242
Act of June 14, 1884
ch. 551, 1884 N.Y. Laws 723 ... 242
Act of May 15, 1885
ch. 283, § 7, 1885 N.Y. Laws
482 246
Act of May 15, 1885
ch. 283, 1885 N.Y. Laws 482 . 195, 258
Act of June 9, 1885
ch. 448, 1885 N.Y. Laws 758 ... 246
Act of May 5, 1886
ch. 280, 1886 N.Y. Laws 459 ... 246
Act of May 26, 1887
ch. 475, 1887 N.Y. Laws 600 ... 248
Act of Apr. 20, 1891
ch. 217, 1891 N.Y. Laws 411 ... 254
Act of May 20, 1892
ch. 707, 1892 N.Y. Laws 1459 .. 254
Act of Apr. 7, 1893
ch. 332, 1893 N.Y. Laws
635,643-44 ..... 255, 257
Act of Apr. 8, 1897
ch. 220, 1897 N.Y. Laws 93 .. 262, 263
Act to Establish the Adirondack Park
ch. 707, 1892 N.Y. Laws 1459
and 1994 194
N.Y. Exec. Law §§ 801-810 195
N.Y. Envtl. Conserv. Law
§ 9-0105 246
N.Y. Pub. Auth. Law § 1001 425
N.Y. Real Prop. Tax Law § 480 ... 198

OREGON

Or. Rev. Stat. §§ 540.631-.650 446
Toxics Use Reduction and Hazardous
Waste Reduction Act
Or. Rev. Stat. §§ 465.003-.037 .. 415

RUSSIAN FEDERATION

Buriat Forest Law 702
pt. I, art. 11 702-03
Federation Law on the
Environment 711
Land Laws 695
Nature Protection Decree of 1988 . 699
§ 6 699
Privatization Law 705, 714

SOVIET UNION

Konst SSSR
Article 147 694
Article 42 694
Forest Law,art. 28 ..... 712, 717
Law of the USSR on State Enterprises
Art. 20 699

TEXAS

Tex. Health & Safety Code
§ 402.0921 530
§ 402.219(c) 519
§ 402.251 -.253 539
Tex. Rev. Civ. Stat. Ann.
Art. 4590f-1, § 3.11 538

UNITED STATES

16 U.S.C. § 431 818
26 U.S.C.A. § 9507 314
43 U.S.C. § 666 ..... 452, 468
5 U.S.C.A. § 901 340
94 Stat. 3166 660
Act of July 1, 1932
25 U.S.C. § 386a 559
Act of June 30, 1974
87 Stat. 546, 589 106
Act of June 4, 1897
ch. 2, 30 Stat. 11 235
Act of Mar. 2, 1867
ch. 173, § 1, 14 Stat. 492 557
Act of Mar. 3, 1891
ch. 561, § 24, 26 Stat. 1095,
1103, ... 235
Act of Sep. 23, 1959
42 U.S.C. § 2021 510
Act to Prevent Pollution From Ships
33 U.S.C.A §§ 1901-12 (1991) .. 129
Administrative Procedure Act (APA)
5 U.S.C. §§ 551-59 388
5 U.S.C. § 556(b)(3) 719
5 U.S.C. § 706(1) 55
Airport Noise and Capacity Act
49 App. U.S.C. § 2153(b) 58
American Indian Religious Freedom Act
(AIRFA)
42 U.S.C. § 1996 ..... 813, 815, 816
Anti-Deficiency Act
31 U.S.C. § 1517 23
Antiquities Act of 1906
16 U.S.C. § 431 456
16 U.S.C. §§ 431-33 817
Archeological Resources Protection Act of
1979 (ARPA)
16 U.S.C. §§ 470aa-470mm 815,
817, 818, 819, 820
Arizona Desert Wilderness Act of 1990
104 Stat. at 4469, 4473 ..... 456, 463
Atomic Energy Act (AEA)

42 U.S.C. §§ 2011-96 ..... 509, 510
Clean Air Act (CAA)
84 Stat. 1676, 1685 301
42 U.S.C.A. §§ 7401-7611q ... 300, 506
42 U.S.C. §§ 7409-10 8
42 U.S.C. § 7409(d) 352
42 U.S.C.A. § 7409(b)(1) 301
42 U.S.C.A. § 7412(d) 301
42 U.S.C. § 7412(b)(1)(B) 345
Clean Air Act Amendments of 1990
42 U.S.C.A. §§ 7401-7671 413
42 U.S.C.A. § 7412 ..... 276, 322, 326, 328, 348
42 U.S.C.A. § 7553 417
Clean Water Act of 1972 (CWA)
33 U.S.C. §§ 1251-1387 ... 150, 157-64, 167, 309, 462, 478
33 U.S.C. § 1251(a) 161
33 U.S.C. § 1313(a) 313, 328
33 U.S.C. § 1313(c)(2)(A) 313
33 U.S.C. § 1313(c)(2)(A) 313
33 U.S.C. § 1314(l) 465
33 U.S.C. § 1317(a) 312
33 U.S.C. § 1362(13) 312
33 U.S.C. § 1377(e) 478
33 U.S.C.A. § 1317(a)(2) 295
Clean Water Act Amendments of 1972
86 Stat. 816 312
Clean Water Restoration Act of 1966
80 Stat. 1246, 1253 160
Colorado Ute Indian Water Rights Settlement Act of 1988
102 Stat. 2973 589
Comprehensive Environmental Response, Compensation and Liability Act
42 U.S.C. §§ 9601-59 69,70
42 U.S.C. § 9601-75 . 314, 317, 367, 506
42 U.S.C. § 9605 367
42 U.S.C. § 9605(c)(1) 317
42 U.S.C. § 9607(4)(C) .. 364, 367, 368, 369, 398, 401
42 U.S.C. § 9611 314
42 U.S.C. § 9621(d)(2)(A) 317
42 U.S.C. § 9622 (i) 397, 399
42 U.S.C. § 9651(c) 364, 367
Consumer Product Safety Act
15 U.S.C. § 2051(b)(1) 52
Continuing Appropriations
42 U.S.C. §§ 2996e(d)(5), 2996f(b)(6)-(10) 660
Criminal Fine Improvements Act
18 U.S.C.A. § 3571(c). 3663 .. 178, 180
18 U.S.C. § 3571 148
Dangerous Cargoes Act
46 U.S.C. §§ 3701-3718 ..... 174, 177
Deepwater Port Act of 1974
33 U.S.C.A. §§ 1501-1524 140
Desert Land Act
43 U.S.C. § 321 451
43 U.S.C. § 321-23 450
43 U.S.C. §§ 321-39 550
Emergency Wetlands Resource Act
16 U.S.C.A. § 707(b) 172
Endangered Species Act
16 U.S.C. §§ 1531-1544 .. 465, 815, 820
16 U.S.C. §§ 1531-44 465
16 U.S.C. § 1531(a) 826
16 U.S.C. § 1532(12) 466
16 U.S.C. § 1536(a)(2) 466, 821
Energy Conservation and Production Act
42 U.S.C. § 6801 425
FDA Charter
21 U.S.C.A. § 393(b) 340
Federal Ethics in Government Act
28 U.S.C §§ 591-99 719
Federal Food Drug and Cosmetic Act (FFDCA)
21 U.S.C.A. §§ 301-394 ..... 296, 297
21 U.S.C. § 346a(b) 305
21 U.S.C.A. § 348 297
21 U.S.C.A. § 348(c)(3)(A) 298
21 U.S.C.A. § 393(b) 340
21 U.S.C.A. § 436a 297
42 U.S.C.A. § 346a 297
Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)
7 U.S.C.A. §§ 136-136y 297, 304
7 U.S.C. § 136(bb) (1988) 305, 307
7 U.S.C.A. §§ 136(gg), 136a(a) .. 304
Federal Land Policy and Management Act
43 U.S.C. § 1701-84 ..... 460, 804
43 U.S.C. § 1782 455
Federal Power Act
16 U.S.C. §§ 791a-828(c) 467
16 U.S.C. § 802(a)(2) 467
16 U.S.C. § 803(j) 467
16 U.S.C. § 811 467
16 U.S.C. § 823a(c) 468
16 U.S.C.A. § 824 425
16 U.S.C. § 1271 458
16 U.S.C. § 1273(b) 458
16 U.S.C. § 1284(c) 458
16 U.S.C. § 1531(c)(2) 465
Federal Water Pollution Control Act
33 U.S.C. §§ 1251-1387 367
33 U.S.C.A. §§ 1251-1387 117
33 U.S.C. § 1321 367
Fort Hall Water Rights Act of 1990 ..... 446, 475
Freedom of Information Act (FOIA)
5 U.S.C. § 552 ..... 365, 373, 376, 378, 400, 401
General Allotment Act, Act of Feb. 8, 1887 556

Hazardous Materials Transportation Act
49 U.S.C. §§ 1801-1819 506
Indian General Allotment Act
25 U.S.C. §§ 331-34, 339, 341-42, 348-49, 352, 381 476
Indian Non-Intercourse Act
25 U.S.C. § 177 580
25 U.S.C. § 331 556
25 U.S.C. §§ 348-349 556
25 U.S.C. § 386a 559
25 U.S.C. § 415 581
Indian Reorganization Act of 1934
25 U.S.C. §§ 461-79 476
25 U.S.C. § 476 478
International Development and Finance Act
22 U.S.C. § 262m-7 722
Joint Resolution to Vest Title to Certain Lands of the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota
ch. 790, § 15, 63 Stat. 1026, 1028-49 570
Low Level Radioactive Waste Policy Act (LLRWPA)
42 U.S.C. §§ 2011-2296 505
42 U.S.C. § 2021b(9) (1988) 484, 505, 517-18, 521, 531, 542
42 U.S.C. §§ 2021e(d)(1), 2021e(e)(2) (1988) 507
LLWRPA 1985 Amendments
42 U.S.C. § 2021(b) 506
42 U.S.C. §§ 2021b - 2021j ... 484, 507
McCarran Amendment
43 U.S.C. § 666 ..... 451, 584
Merchant Marine Act of 1970
46 App. U.S.C.A. §§ 1101-1295g 120
Migratory Bird Treaty Act
16 U.S.C. §§ 701-18 ..... 148, 167, 170, 173, 177
Mining Act of 1866 554
Multiple-Use Sustained-Yield Act of 1960 (MUSYA)
16 U.S.C. § 528-31 804
National Environmental Policy Act of 1969 (NEPA)
42 U.S.C. §§ 4321-70c 820
42 U.S.C.A. §§ 4321-70c 121
42 U.S.C. § 4331(a) 826
42 U.S.C. § 4332 711
42 U.S.C. § 4332(2)(C) 820
National Historic Preservation Act of 1966 (NHPA)
16 U.S.C. §§ 470-470w-6 . 815, 817, 818
Newlands Act
43 U.S.C. §§ 371-600e 551
Noise Control Act of 1972
42 U.S.C. §§ 4901-18 ..... 2, 6-11, 13-15, 17-23, 38, 43, 54-55, 57, 59, 60
Noise Pollution and Abatement Act of 1970
42 U.S.C. § 7641 7
Nuclear Regulatory Commission and the Energy Research and Development Energy Administration Reorganization Act of 1974
88 Stat. 1233 511
Nuclear Waste Policy Act of 1982
42 U.S.C. §§ 10,101-226 514
42 U.S.C. § 10,173(a) 536
Oil Pollution Act of 1924
Pub. L. No. 238, ch. 316, 43 Stat. 604 160
Oil Pollution Act of 1990 (OPA)
26 U.S.C.A. § 9509(c)(2)(A) 410
33 U.S.C.A. §§ 2701-61 ..... 150, 163, 164, 174, 177
33 U.S.C.A. § 2706(e) 399
46 U.S.C.A. § 3703a, § 3715 (a) . 100, 136-45
Partial Revision of Title 46 (repealing the Ports and Waterways Safety Act of 1972)
46 U.S.C.A. 500,599-600,605 .. 106, 135
Pollution Prevention Act of 1990
42 U.S.C.A. §§ 13,101-09 413
Port and Tanker Safety Act of 1978
Pub. L. No. 95-474, 92 Stat. 1471 ..... 106, 135
Ports and Waterways Safety Act of 1972 (PWSA)
33 U.S.C. §§ 1221-1236 . 106, 125, 126, 135, 174, 177
Presidential Proclamation on the Colorado River Compact
46 Stat. 3000 576
Public Utilities Regulatory Powers Act
16 U.S.C. § 2601 425
Quiet Communities Act of 1978
42 U.S.C. § 4913 ..... 2, 17
Ratification Act
ch. 213, 25 Stat. 113 563
Reclamation Act
43 U.S.C. 553
Refuse Act
33 U.S.C. §§ 401-467n .. 148, 159, 166, 167, 169, 177
Resource Conservation and Recovery Act of 1976 (RCRA)
42 U.S.C.A. §§ 6901-92k 314, 556
42 U.S.C. § 6922(a)(5) 592
Safe Drinking Water Act (SDWA)

42 U.S.C. §§ 300f-300j (1988) ... 478
42 U.S.C. § 300f 309
42 U.S.C. § 300g 309, 310
Superfund Amendments and Reauthorization Act of 1986 (SARA)
100 Stat. 1613 314
Tongass Timber Reform Act
16 U.S.C. § 539d 721
Toxic Substances Control Act (TSCA)
15 U.S.C. §§ 2601-2671 .. 304, 307, 353
15 U.S.C. § 2608 308
Trans-Alaska Pipeline Authorization Act
Pub. L. No. 93-153, 87 Stat. 576 (1973) 125, 132
Treaty with the Blackfeet, Oct. 17, 1855
11 Stat. 657 823
Truckee-Carson-Pyramid Lake Water Rights Settlement Act
104 Stat. 3289, 3294 476
U.S. Constitution
Art. I
§ 2, cl. 3 647
§ 9, cl. 1 647
Art IV
§ 2, cl. 3 647-48
Amendments
I 805, 812, 832
V 79
VIII 179
XIII 648
XIX 649
United States and the Navajo Tribe of Indians, June 1, 1868
15 Stat. 667 563
Water Quality Improvement Act of 1970
22 U.S.C.A. § 1321(j)(1)(C) 116
84 Stat. 91 160-61
Wild and Scenic Rivers Act of 1968
16 U.S.C. §§ 1271, 1273(b), 1274(a), 1284(b),(c),(d) 458
16 U.S.C. §§ 1271-87 721
Wilderness Act of 1964
16 U.S.C. §§ 1131-1136 455
16 U.S.C. § 1131 229
17 Stat. 32 (1872) 235
16 U.S.C. § 1c(a) 456
16 U.S.C. § 668dd(a)(1) 457
43 U.S.C. § 383 553
49 U.S.C. § 1431(b) 7,16

VERMONT

Vermont Act No. 200
Vt. Stat. Ann. tit. 24, §§ 5200-03 .. 67, 72

WASHINGTON

Wash. Rev. Code
§§ 88.16.170-.200 133

WISCONSIN

Act of Apr. 6, 1878
ch. 324, 1878 Wis. Laws 667 266